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July 24, 2009

Hon. Magistrate Judge Bernard Zimmerman  
U.S. District Court  
450 Golden Gate Ave., Ctrm. G  
San Francisco, CA 94102

Re: *Darrell Wheeler, et al. vs. Hilo Medical Center, Inc. et al.*  
Action No.: CV091826BZ

Your Honor:

Counsel for defendants Robert White, Hilo Medical Center, Litneutral, LLC, and The Queen's Medical Center bring this request to continue the August 10, 2009 initial case management conference. The above-entitled action is brought by *pro se* plaintiffs Darrell Wheeler and Pauline Ellis.

Thus far, only four of the fifteen defendants named in this matter have appeared, and three of these defendants contest personal jurisdiction. Specifically, Robert White, Hilo Medical Center, Inc. and The Queen's Medical Center have filed respective motions to dismiss pursuant to Fed. R. Civ. P. Rule 12(b) based on lack of subject matter jurisdiction, lack of personal jurisdiction, improper venue and failure to state a claim upon which relief can be granted. Litneutral, LLC has filed a Rule 12(b) motion to dismiss based on lack of subject matter jurisdiction, improper venue and failure to state a claim upon which relief can be granted.

These motions are scheduled to be heard on September 23, 2009. Per the Court's July 21, 2009 Briefing Order, plaintiffs' reply to defendants' opposition must be filed by August 5, 2009. Defendants' reply must be filed by August 19, 2009.

As less than half of the defendants have appeared, and none of the defendants have filed answers, we respectfully request that the August 10, 2009 initial case management conference be continued to a date after the September 23, 2009 hearing on defendants' motions.

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Please do not hesitate to contact us should you have any questions or concerns.

Very truly yours,

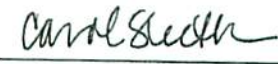
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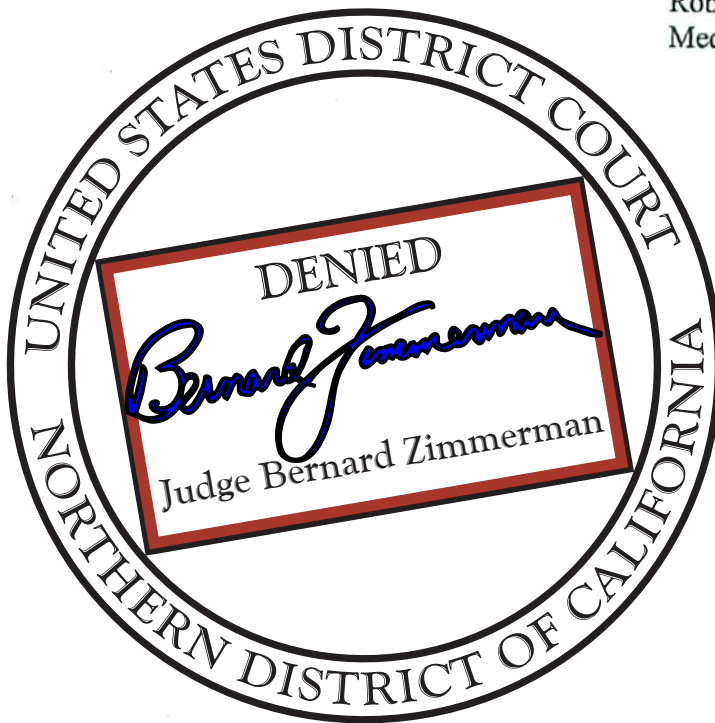
Dated: July 27, 2009

  
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The Queen's Medical Center

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Dated: July 24, 2009

  
Carol Sleeth  
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DATED: 7/27/2009